## CITY COUNCIL ATLANTA, GEORGIA

**06- ₹ -2571** 

No. 06-R-[\_\_\_]

A RESOLUTION
BY COUNCILMEMBER F

A RESOLUTION TO AMEND RESOLUTION 02-R-2094 RELATING TO THE REDEVELOPMENT AREA AND **ATLANTA NORTHWEST** ALLOCATION DISTRICT NUMBER THREE - PERRY/BOLTON SO AS TO (i) DELETE THE REQUIREMENT FOR THE CREATION OF A COMMUNITY REQUIREMENT CORPORATION AND THE **DEVELOPMENT** RESTRICTING THE USE OF POSITIVE TAX ALLOCATION INCREMENT TO DESIGNATED AREAS WITHIN THE TAX ALLOCATION DISTRICT AND (ii) REDEFINE THE AFFORDABILITY GOAL FOR HOUSING UNITS WITHIN THE TAX ALLOCATION DISTRICT.

WHEREAS, by Resolution 02-R-2094, adopted by the City Council on December 2, 2002 and approved by the Mayor on December 10, 2002 (the "Initial Resolution"), the City of Atlanta adopted the Northwest Atlanta Redevelopment Plan and created Tax Allocation District No. Three – Perry/Bolton (the "Perry/Bolton TAD"); and

WHEREAS, the City desires to amend the Initial Resolution by deleting or modifying certain terms thereof;

**NOW, THEREFORE**, The Council of the City of Atlanta, Georgia, hereby resolves as follows:

Section 1. Section 9(c) of the Initial Resolution, which provided that:

"(c) A Community Development Corporation is to be created in this area. Its advisory committee will recommend projects to be funded from the proceeds of the tax allocation bonds and other redevelopment funds."

is hereby amended by deleting such Section 9(c) in its entirety.

Section 2. Section 12 of the Initial Resolution, which provided that:

"The positive tax allocation increment from the TAD shall be allocated to payment of redevelopment costs, including debt service on TAD bonds, in the following manner:

- (a) All positive tax allocation increment accrued in the West Highlands master plan area as depicted in the Appendix to the Redevelopment Plan shall first be allocated to payment of redevelopment costs, including debt service on TAD bonds, for the West Highlands redevelopment project;
- (b) All positive tax allocation increment accrued in the area north of the CSX railroad tracks in the Bolton/Marietta LCI area shall first be allocated to payment of redevelopment costs in the LCI area; and

(c) After payment of all redevelopment costs for West Highlands and the LCI area, any excess positive tax allocation increment from either area shall be allocated to payment of redevelopment costs for the area south of the CSX railroad tracks outside the West Highlands master plan area."

is hereby amended by deleting said Section 12 in its entirety.

### **Section 3.** Section 13 of the Initial Resolution which provided that:

"The Tax Allocation District has a goal to achieve a minimum of twenty percent (20%) of the housing units to be affordable to moderate income households based on fifty percent (50%) of the Metropolitan Statistical Area Median Household Income."

is hereby amended by deleting such Section 13 in its entirety and inserting, in lieu thereof, the following:

The City hereby establishes a goal for the Tax Allocation District that at least twenty percent (20%) of the housing units funded from proceeds of TAD bonds be affordable to persons and families with incomes that do not exceed eighty percent (80%) of the median family income for the Atlanta Metropolitan Area as determined from time to time by the United States Department of Housing and Urban Development.

**Section 4.** Except as otherwise provided herein, the City confirms all other provisions of the Initial Resolution. All resolutions and parts of resolutions in conflict with this resolution are hereby rescinded to the extent of such conflict.

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4822-9209-2673.1

A RESOLUTION

BY COUNCILMEMBER FELICIA MOORE AS AMENDED BY FULL COUNCIL

TO CREATE THE NORTHWEST ATLANTA REDEVELOPMENT AREA AND TAX ALLOCATION DISTRICT NUMBER THREE. PERRY/BOLTON; TO DESIGNATE THE BOUNDARIES OF THE REDEVELOPMENT AREA; TO **ESTABLISH** INCREMENT BASE AND ADOPT A REDEVELOPMENT PLAN FOR THE AREA; TO CREATE A TAX ALLOCATION DISTRICT WITHIN THE REDEVELOPMENT AREA AND TO DEFINE THE BOUNDARIES THEREOF; TO ESTABLISH THE INTENT TO ISSUE AND SELL TAX ALLOCATION BONDS AND SUCH REDEVELOPMENT BONDS NECESSARY TO EFFECTUATE THE REDEVELOPMENT OF THE AREA; TO AUTHORIZE THE ATLANTA DEVELOPMENT AUTHORITY TO ACT AS THE REDEVELOPMENT AGENT TO IMPLEMENT PROVISIONS OF THE REDEVELOPMENT PLAN PURSUANT TO THE STATE REDEVELOPMENT POWERS LAW; AND FOR OTHER PURPOSES.

WHEREAS, the Redevelopment Powers Law (O.C.G.A. § 36-44-1 et seq.) provides for the exercise of redevelopment powers and the creation of redevelopment plans and tax allocation districts by counties and municipalities in the State of Georgia; and

WHEREAS, the purpose of the Redevelopment Powers Law is to improve economic and social conditions within economically and socially depressed urban areas that contribute to or cause unemployment, limit the tax resources of counties and municipalities while creating a greater demand for government services, and have a deleterious effect upon the public health, safety, morals, and welfare; and

WHEREAS, it is in the public interest of the City of Atlanta that the Redevelopment Powers Law be exercised to enable public-private partnerships to improve economic and social conditions in certain areas of Northwest Atlanta (hereinafter the "Northwest Atlanta Redevelopment Area") in order to abate or eliminate deleterious effects of its current depressed state; and

WHERFAS, the Council recognizes that the Northwest Atlanta Redevelopment Area is a monically and cally depressed area and that the under-performance and disinvestment that has occurred in that area must be reversed in order to ensure the economic health of the City; and

WHEREAS, a Redevelopment Plan now has been prepared for the Northwest Atlanta Redevelopment Area in accordance with the requirements of O.C.G.A. § 36-44-3(9); and

WHEREAS, the Council of the City of Atlanta desires to adopt the Northwest Atlanta Redevelopment Plan and create Tax Allocation Bond District Number Three — Perry/Bolton.

# NOW, THEREFORE, THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY RESOLVES as follows:

- Section 1. The City of Atlanta declares that the Northwest Atlanta Redevelopment Area has not been subject to growth and development through private enterprise and would not reasonably be anticipated to be developed without the approval of the Redevelopment Plan.
- Section 2. The City of Atlanta declares that the improvement of the Northwest Atlanta Redevelopment Area is likely to enhance the value of a substantial portion of other real property in the district.
- Section 3. The City of Atlanta hereby creates the Northwest Atlanta Redevelopment Area and Tax Allocation Bond District Number Three —Perry/Bolton, and designates the boundaries of the area as indicated in the Northwest Atlanta Redevelopment Plan attached to this Resolution as Exhibit A and incorporated herein by reference.
- Section 4. The City of Atlanta adopts the attached Northwest Atlanta Redevelopment Plan (hereinafter "Redevelopment Plan") as the Redevelopment Plan for the aforesaid area.
- Section 5. The City of Atlanta creates Tax Allocation District Number Three Perry/Bolton pursuant to the Redevelopment Plan and Redevelopment Powers Law and designates the boundaries of the district as indicated in the Redevelopment Plan.
- Section 6. Tax Allocation District Number Three –Perry/Bolton is hereby created as of December 31, 2002, and shall continue in existence for twenty-five years thereafter, or until all redevelopment costs, including financing costs, are paid in full.
- Section 7. The City of Atlanta hereby establishes the estimated Tax Allocation Increment Base of \$60,430,670. The property taxes to be used for computing tax allocation increments are specified in the attached Redevelopment Plan and incorporated herein by reference.
- Section 8. The City of Atlanta designates the Atlanta Development Authority to serve as its redevelopment agent to implement the provisions of the Redevelopment Plan and to effectuate the redevelopment of the Redevelopment Area pursuant to the Redevelopment Plan and the Redevelopment Powers Law.
- Section 9. a) The City of Atlanta intends to authorize the issuance of Tax Allocation Bonds and such other redevelopment bonds as may be necessary to implement provisions of the Redevelopment Plan as adopted by the Council of the City of Atlanta and approved by the Mayor.
- b) Prior to the issuance of any tax allocation bonds, the City will create an advisory committee for the purpose of advising the City on projects to be funded. The structure of said advisory committee and the method of appointment of its members shall be approved by resolution of the City Council.

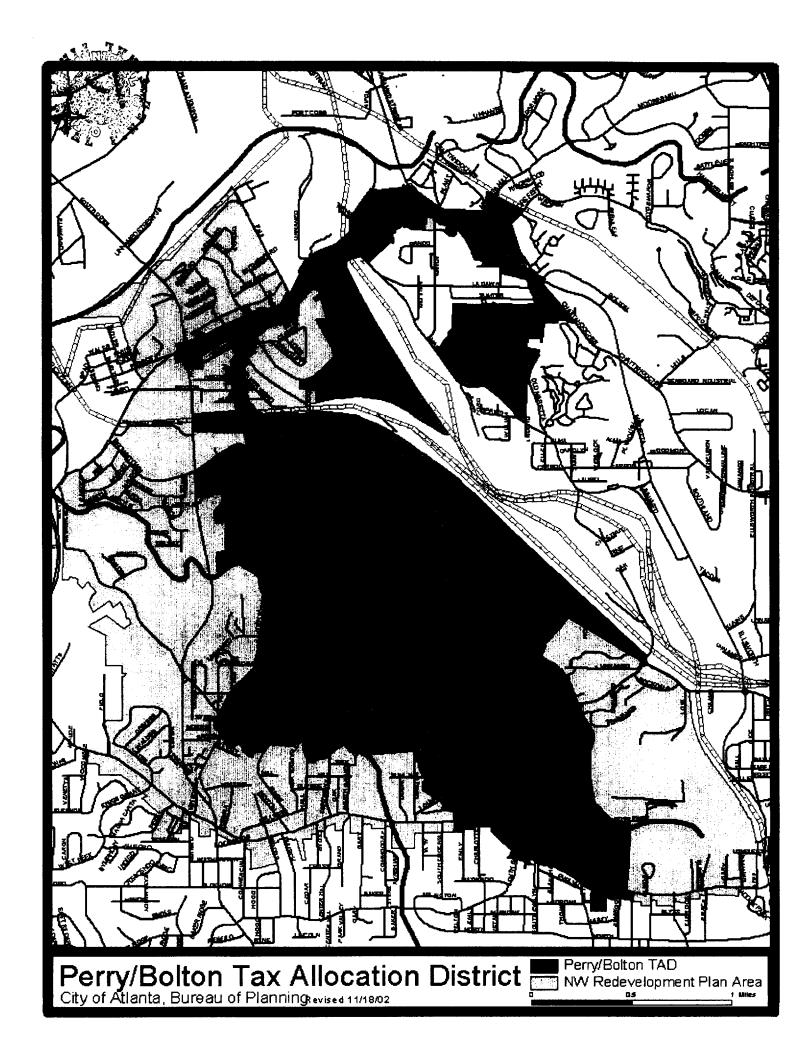
- c) A Community Development Corporation is to be created in this area. Its advisory committee will recommend projects to be funded from the proceeds of tax allocation bonds and other redevelopment funds.
  - The City of Atlanta authorizes the use of the proceeds of tax allocation Section 10. bonds for any and all eligible uses, including but not limited to costs of issuance of the tax allocation bonds; capital costs of public improvements, including streets, sidewalks, and streetscapes; water, sanitary sewer, and storm sewer facilities; public parks and trails; roads. bridges, and utilities; parking facilities; professional services costs, including fees for architectural, engineering, and environmental services; and such other uses deemed necessary pursuant to provisions of the Redevelopment Plan and the Redevelopment Powers Law.
  - The property proposed to be pledged for payment for as security for payment of tax allocation bonds will include the positive ad valorem tax allocation increments derived from the aforesaid tax allocation district for the life of the district.
  - Section 12. The positive tax allocation increment from the TAD shall be allocated to payment of redevelopment costs, including debt service on TAD bonds, in the following manner:
  - a) All positive tax allocation increment accrued in the West Highlands master plan area as depicted in the Appendix to the Redevelopment Plan shall first be allocated to payment of redevelopment costs, including debt service on TAD bonds, for the West Highlands redevelopment project;
- b) All positive tax allocation increment accrued in the area north of the CSX railroad tracks in the Bolton/Marietta LCI area shall first be allocated to payment of redevelopment costs in the LCI area; and; and
- c) After payment of all redevelopment costs for West Highlands and the LCI area, any excess positive tax allocation increment from either area shall be allocated to payment of redevelopment costs for the area south of the CSX railroad tracks outside the West Highlands master plan area.
- The Tax Allocation District has a goal to achieve a minimum of twenty percent (20%) of the housing units to be affordable to moderate income households based on fifty percent (50%) of the Metropolitan Statistical Area Median Household Income.
- Section 14. All resolutions and parts of resolutions in conflict with this resolution are hereby rescinded to the extent of any such conflict.

A true copy,

Phanda Waughin Johnson Municipal Clerk, CMC

ADOPTED as amended by the Council **APPROVED by the Mayor** 

DEC 02, 2002 DEC 10, 2002





Please find attached the following addendum to the Northwest Atlanta Redevelopment Plan and Perry/Bolton Tax Allocation District:

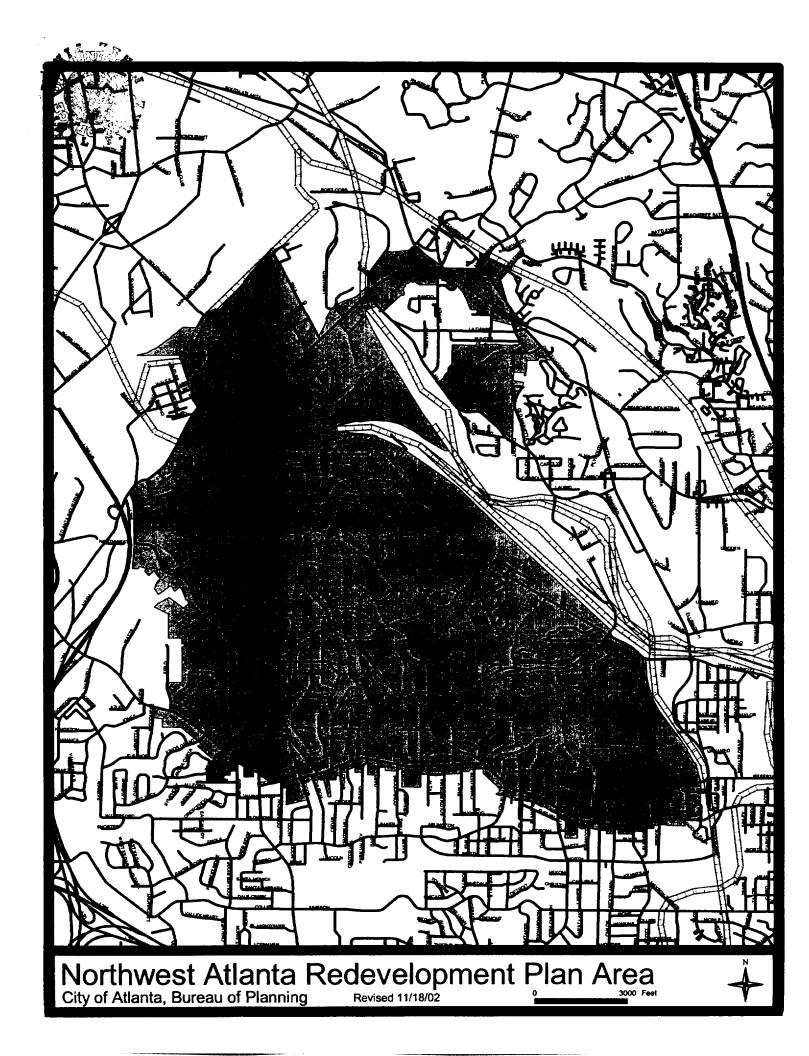
- I. A new Appendix A.1A. "Redevelopment Plan Boundary Map (L)" This should replace the existing page 31 and its attached map.
- II. A new Appendix A.1B. "TAD Boundary Map" This should replace the existing page 32 and its attached map.

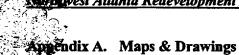


**Appendices** 

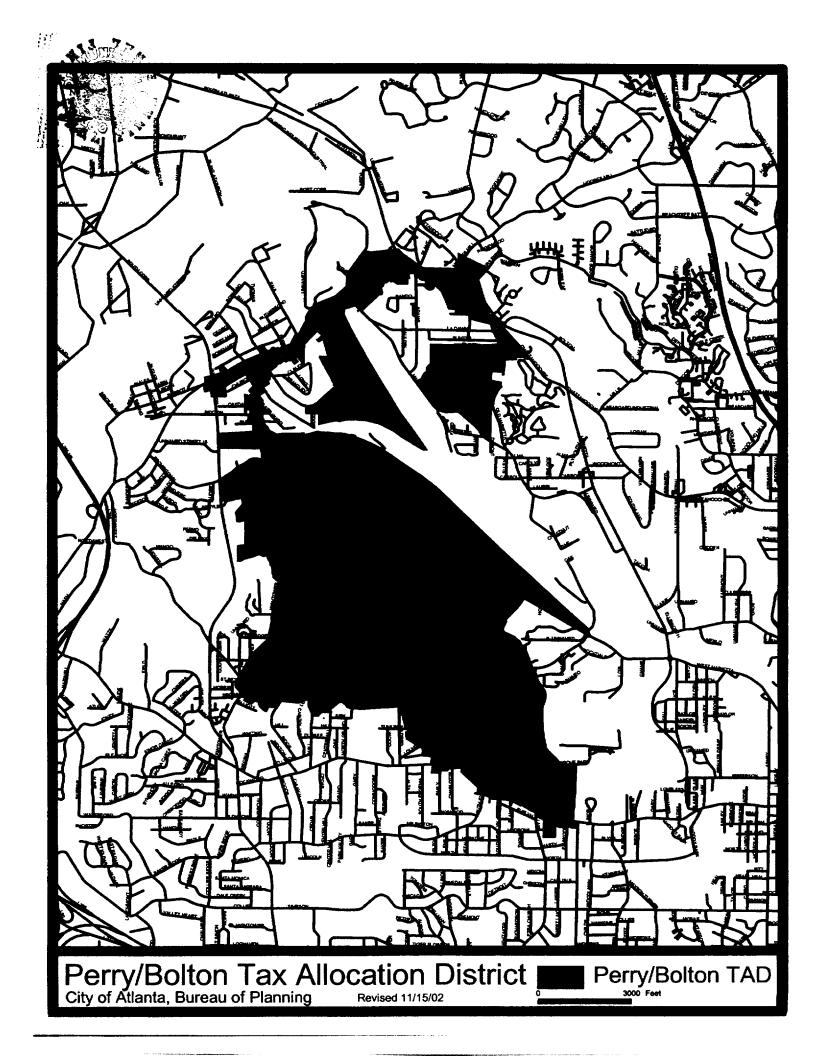
Appendix A. Maps & Drawings

1A. Redevelopment Plan Boundary Map (L)





1B. TAD Boundary Map



### Atlanta City Council

#### Regular Session

02-R-2094 Create Northwest Atlanta Redevelopment Area; Perry/Bolton Tax Allocation Dist.

ADOPT AS AMEND

YEAS: 11
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 4
EXCUSED: 1
ABSENT 0

Y Y	Smith Starnes Young Winslow	NV Y	Archibong Fauver Shook Muller	Y E	Moore Martin Maddox Boazman	N V	Mitchell Norwood Willis Woolard
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COUNCIL ACTION	□2nd □1st & 2nd □3rd	Consent Vote DRC Vote	CERTIFIED		DEC 0 2 2002		GERUIFEE F						Mindi France H						
9			Date	Chair	Actions Fav, Adv, Held (see rev. side) Others	Members		Rofer To		Committee	Date	Chair	Actions	Others	Members				Refer To
First Reading	Committee	Chair	Committee CD / II/P Daire	11/26/20	Actions Fory Adv. Hold (see rev. side) P	Members	Mary Sources	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1		Committee	Date	Chair	1	Fav, Adv, Hold (see rav. side) Others	Members				Refer To
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